

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL NO. 1:04CV41

**SYNERGY FINANCIAL, L.L.C, and
NYNC, LLC,**

Plaintiffs,

Vs.

**FRANCIS A. ZARRO, JR.;
AMERICAN PASTIME HOLDINGS,
INC.; and Z-HeMa, LLC,**

Defendants.

ORDER

THIS MATTER is before the Court on the Plaintiffs' motion for default judgment as to the Defendants American Pastime Holdings, Inc., and Z-HeMa, LLC, and Plaintiffs' motion for summary judgment as to the Defendant Francis Zarro, Jr.

The motion for default judgment will be deferred until after a ruling on the Plaintiffs' motion for summary judgment and the summary judgment motion is respectfully referred to the Magistrate Judge for a memorandum and recommendation.

IT IS, THEREFORE, ORDERED that the ruling on the Plaintiffs' motion for default judgment is hereby deferred until after a ruling is issued on the motion for summary judgment.

The Clerk is requested to refer the Plaintiffs' motion for summary judgment to the Magistrate Judge.

Signed: June 17, 2005

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg
United States District Judge

